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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,833	12/07/1999	YOSHIKAZU SAKAMOTO	KAW-215-USAP	6984

7590 12/18/2001
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12/98

EXAMINER

HOTALING, JOHN M

ART UNIT PAPER NUMBER

3713

DATE MAILED: 12/18/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/456,833

Applicant(s)

SAKAMOTO ET AL.

Examiner

John M Hotaling II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 4) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____


MARK SAGER
PRIMARY EXAMINER

DETAILED ACTION

1. The disclosure is objected to because of the following informalities:

In return for a patent, the inventor gives as consideration a complete revelation or disclosure of the invention for which protection is sought. All amendments or claims must find basis in the original disclosure, or they involve new matter. Applicant may rely for disclosure upon the specification with original claims and drawings, as filed. See 37 CFR 1.118 and MPEP § 608.04.

If during the course of examination of a patent application, an examiner notes the use of language that could be deemed offensive to any race, religion, sex, ethnic group, or nationality, he or she should object to the use of the language as failing to comply with the Rules of Practice. 37 CFR 1.3 proscribes the presentation of papers which are lacking in decorum and courtesy. There is a further basis for objection in that the inclusion of such proscribed language in a Federal Government publication would not be in the public interest. Also, the inclusion in application drawings of any depictions or caricatures that might reasonably be considered offensive to any group should be similarly objected to, on like authority.

The examiner should not pass the application to issue until such language or drawings have been deleted, or questions relating to the propriety thereof fully resolved.

Figures 2,3,4, and 7b are objected to as containing inappropriate subject matter that the examiner refers to as "party shots". This content is objected to under MPEP 608 disclosed. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slomiany et al US Patent 6,159,098 in view of Shimizu et al US Patent 6,227,970 in further view of Sunaga et al US Patent 6,106,393. The rejection contained in the prior office action is relevant and incorporated herein. Slomiany discloses all of the instant application with the exception of displaying the details of the game in the display section of the special game, the game history, game directions, and an indication of errors. Slomiany lacks in disclosing the use of start and stop buttons for reels in a slot machine to start and stop a plurality of reels. This feature is notoriously well known in the art and is disclosed in the invention of Sunaga. Slomiany advantageously discloses a slot machine with a second display for displaying a bonus game which may be any type of game which is entered upon the occurrence of a selected event or outcome of the basic game (column 1 lines 32-35). The examiner notes that the outcome of the basic game could be by any well known means including stop buttons which are notoriously well known and disclosed in Sunaga. Column 3 lines 23-37 discloses a start switch or lever and using technology well known in the art causes the reel to stop in a selected stop position. Column 3 line 49-51 discloses that the payoff amount of certain combinations is predetermined according to a paytable which is stored in memory. Column 12 lines

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41-53 discloses that the bonus game may be played alone or with a basic game other than a slot machine. In an analogous machine, Shimizu discloses the use of a slot machine in which a sub-display device displays histories of past games and other information is provided. Column 2 lines 52-61 discloses the use of the push button or the touch screen. Column 4 line 51-67 discloses that many differing functions can be assigned to the buttons. Column 5 lines 37-53 discloses displaying in the main display device game history. Column 6 lines 1-4 disclose placing a max bet. Column 6 line 47 – column 7 line 13 and figure 6 discloses that a main menu image is displayed in the sub display device which may include game specification, time and money alarm, and game record and history. In addition, since these functions are not directly relevant to the progress of the game displayed in the main display device operation of these buttons do not effect the progress of the game. It is not disclosed but it is obvious to one of ordinary skill in the art that a multitude of information could be contained under the heading of “Game Specification” including instructions for playing the game. Providing instructions for a user of a game is not uncommon. Column 9 line 37 – column 10 line 11 disclose feature play history, diagnosis, detection, position, details, and a way of fixing the error can be displayed. Column 10 lines 10-30 disclose that a part or the whole of the sub display may be used for advancing the game. One of ordinary skill in the art would be motivated to combine the above well known features described in the references using the following motivation of the references: In Slomiany, the bonus game may be played with any basic game and all that is required is that the bonus game is triggered upon the occurrence of a special event or outcome in the basic game

(column 12), Shimizu discloses that the operation portion of the game machine is provided with four push button switches that are operated with particular high frequency during the game and that the functions assigned to these switches can be properly changed. The combination of the above references clearly teaches to one of ordinary skill in the art that a player using stop reel buttons and results in a special hit which results in a bonus game and advantageously contains a additional display with game specific information. In addition, one would be motivated to combine these references in order to provide improved communication and information to the user of a game machine as disclosed above and since both references disclose that the information can be displayed in multiple places such as the main display, auxiliary display or both or a combination of displays. Therefore it is obvious to one of ordinary skill in the art to have a game machine with a basic game and a bonus game with a screen that is used to display information relevant to the playing of the gaming machine including historical information, game information, and error indication as advantageously taught by the above references. Additionally it would be apparent to one of ordinary skill in the art that the use of stop buttons to play a main game that are well known can be used for other game functions as taught above.

Response to Arguments

2. Applicant's arguments filed 9/27/01 have been fully considered but they are not persuasive.

With respect to applicant's arguments regarding the stop switch please see the above rejection.

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In response to applicant's argument that that Shimizu does not place the special screen under control of the stopping device or stop switch as claimed by the applicant, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case the operation buttons of Shimizu which can be programmed to incorporate game features as taught above in combination with the bonus game of Slomiany and the well known stopping device teaches that a secondary screen is under control of an input device which may be a stop switch.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation to combine has been clearly pointed out in the previous rejection and the rejection above.

With respect to the argument that the examiner does not address the specific issues raised in the claims such as the state of progress, the history, etc. please see the rejection above where these features are pointed out.

With respect to the arguments of claims 1-22 please see the above rejection.

With respect to the argument that the sub display device of Shimizu does not related information relevant to the play of the game see Column 10 lines 21-29 which discloses that a part or the whole of the display and the buttons may be used for advancing the game.

Citation of Pertinent Prior Art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okada '559 discloses stop buttons


Takemoto et al '830 discloses stop buttons

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Hotaling II whose telephone number is 703 305 0780. The examiner can normally be reached on Mon-Thurs 7:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703 746 3236 for regular communications and 703 308-7769 for After Final communications.


John M Hotaling II
December 14, 2001


MARK SAGER
PRIMARY EXAMINER